

(ai) LUCY
MARRIED HENRY SPURROW

DRAWER 1A

CHILDREN OF JOSEPH HANKS SR.

71 2009.085.05556

Hanks Family

Lucy Hanks

Excerpts from newspapers and other
sources

From the files of the
Lincoln Financial Foundation Collection

"Lost" Grandmothers of Abraham Lincoln Found

Chicago Pastor Tells of Discoveries That Upset Old Theories of President's Ancestry.

CHICAGO, Feb. 6.—Declaring that all biographers of Abraham Lincoln were incorrect as to the true identity of Lincoln's grandmother, the Rev. William E. Barton, pastor of the First Congregational church, Oak Park, startled American historians with a paper he read to a selected audience in the Chicago Historical society's assembly hall.

"Lincoln's Lost Grandmother" was the subject of the address. In his own words, however, Dr. Barton produce not one, but two, grandmothers of the martyred president who have been obscured in the haze of the late eighteenth century in America.

Dr. Barton delivered his address before a meeting not open to the public, but made up of scholars, historians, judges and theologians, who were especially invited.

"I am prepared to produce not one grandmother but two. All the biographies of Abraham Lincoln are incorrect as to his paternal grandmother.

Not of the Boone Family.

"She was not Mary Shipley, as Nicolay and Hay, on the authority of J. R. Nall, have told us; nor was she of the Boone family, as Gideon Welles, Lincoln's secretary of war, maintained. Nor was the pioneer, Abraham Lincoln, the grandfather, twice married, once to Mary Shipley, mother of his two eldest sons, and later to Bathsheba Ferring, mother of Thomas.

"The marriage licenses of Virginia sometimes gave the name of the groom and omitted that of the bride. So was it with the record of Abraham Lincoln, the President's grandfather. His license to marry was issued in Rockingham county, Virginia, June 9, 1770, and the bride is not named.

Tells of Finding Records.

"Last summer, in a pile of old tax lists in the basement of the old capital at Frankfort, the secretary of the Kentucky Historical society discovered a list of Washington county for 1792, which shows that Bathsheba Lincoln survived her husband.

"Abraham Lincoln, grandfather of the president, was murdered by Indians, not in 1784, as the president thought, but in May, 1786, and his widow long survived him. Here, then, is the paternal grandmother of President Lincoln, Bathsheba, whom the pioneer, Abraham Lincoln, married in Rockingham county, Virginia, in 1770, the mother of all his children, his one and only wife. All the books are in error; they must henceforth be corrected. This is the first announcement of the discovery.

"But Bathsheba (whose name may not have been Herring) is not the grandmother we are setting out to discover; we include her for good measure. We are after the mother of Nancy Hanks. Here we confront a historical problem of the very greatest difficulty and one which many books have darkened by words without knowledge.

Reviews Hanks Tradition.

"The Hanks tradition, as given by Lamon, Herndon, and accepted by Nicolay and Hay, is thus given:

"Mrs. Lincoln's mother was named Lucy Hanks; her sisters were Betty, Polly and Nancy, who married Thomas Sparrow, Jesse Friend and Levi Hall. The childhood of Nancy

was passed with the Sparrows and she was oftener called by their name than by her own. The whole family connection was composed of people so little given to letters that it is hard to determine the proper names and relationships of the younger members amid the tangle of traditional cousinships."—Abraham Lincoln; A History by Nicolay and Hay. Vol. 1, p. 84.

"This statement was undisputed until 1909, when Lea & Hutchinson published their 'Ancestry of Lincoln' and Mrs. Caroline Hanks Hitchcock published her 'Nancy Hanks.' These produced the will of Joseph Hanks, presumed to be the father of these daughters, and there was no such Lucy mentioned in it.

Hanks was responsible for no end of confusion. Miss Tarbell accepted this theory and proclaimed it widely. As for Lucy, there was said to have been no such sister; and Nancy was declared to have been the mother of Abraham Lincoln.

"The motives of those who attempted to substitute this theory for the Hanks tradition were wholly good, though some one who furnished some part of the information cannot be held guiltless of something worse than carelessness."

Restores Her to History.

"As for Lucy, I have her marriage bond in photostat and a certificate of her legal marriage. She was married to Henry Sparrow, a revolutionary soldier and an honest man, and she brought up her children well, including two ministers of the gospel. She is no disgrace to the family. She had somewhat superior advantages. Her father and her brothers could not write, but she, like all the Hankses who could write at all, wrote with a flourish. Thus do we restore to her rightful place on the line of the president's ancestors Lucy Hanks, Abraham Lincoln's lost grandmother."

JAMES A. PETERSON
ATTORNEY AT LAW

WHITE OAKS SPRINGS FARM
YORKVILLE, ILLINOIS 60560
TELEPHONE (312) 553-7111

October 15, 1976

Mark E. Neely Jr., Editor,
Lincoln National Life Foundation,
Fort Wayne, Indiana 46801

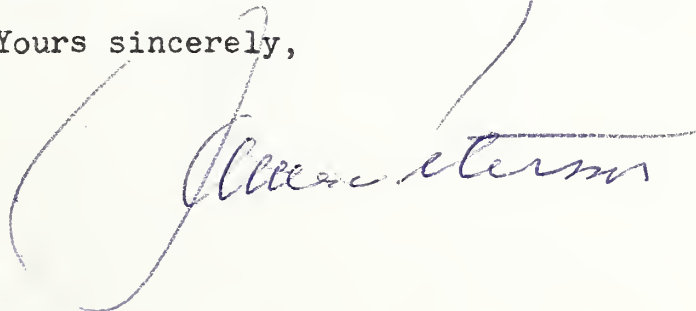
Dear Mr. Neeley,

Some time ago I filed a Petition to Clear the Name of
Lucy Hanks in the Mercer County Court at Harrodsburg,
Kentucky.

On October 6, 1976 the Court held a hearing and found
that the Presentment Proceeding against Lucy Hanks was not
in accordance with the law in the Commonwealth of Virginia
in 1789 and 1790 in as much as the Grand Jury was comprised
of only twelve men instead of the minimum of sixteen men.

You may obtain a certified copy of the Petition and
Order from the Clerk of the County Court at Harrodsburg, Ky.

Yours sincerely,

A large, stylized handwritten signature in dark ink, which appears to read "James A. Peterson". The signature is written over a faint, circular blue ink stamp or watermark.

Hanks, Lucy

November 2, 1976

Mr. James A. Peterson
White Oaks Springs Farm
Yorkville, Illinois 60560

Dear Mr. Peterson:

I appreciate your letter of October 15, and I am writing today to get a certified copy of the Petition and Order from the Clerk of the County Court at Harrodsburg, Kentucky. Your diligence is commendable.

Yours truly,

Mark E. Neely, Jr.

MEN/jn

November 2, 1976

Clerk of the County Court
Harrodsburg, Kentucky 40330

Dear Sir or Madam:

Mr. James A. Peterson of Yorkville, Illinois has informed us that we might obtain a certified copy of a petition to clear the name of Lucy Hanks and of the order that does clear her name. Please let us know how we may go about this. We should very much like to have copies for our files on Lincoln's ancestors.

Yours truly,

Mark E. Neely, Jr.

MEN/jn

MRS. LOUIS F. ISON
Lexington Rd., Rt. 4
Harrodsburg, Ky.
40330

Not ordered
11/29/76
MNH

Dear Mr. Neely,

Your letter requesting information about Mr. Peterson's petition concerning Lucy Hanks was received by the Mercer County Court Clerk.

Because of lack of time and the local duties of his office, the clerk is unable to do this work for you, therefore, he gave your letter to me.

I am a local genealogical researcher and charge a fee of \$300 per hour for my services. I search for family information in marriage records, deeds, wills, settlements, guardian accounts, suits, cemetery records, newspaper files, Bible records, tax lists, census records, and others. I can send you typewritten copies of complete documents or abstracts of important information from each one. I can have photocopies of documents made for \$1.00 per exposure.

If you are interested in having me do any or all of these things for you, I will be happy to give my assistance.

Sincerely,

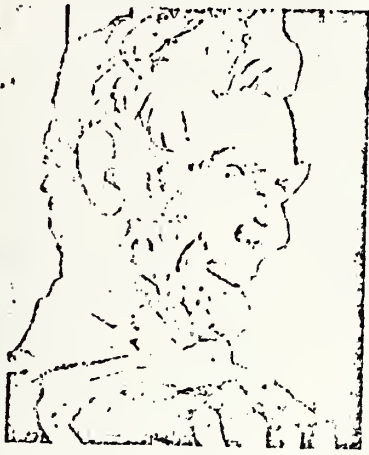
A. R. Ison

Mrs. Louis F. Ison

I can send Xerox copy (certified) of the petition and order concerning Lucy Hanks for \$5.50

Xerox copies under correspondence file
for ~~Harrodsburg~~ ^{Kentucky}
(Mrs) ~~Harrodsburg~~
Harrodsburg, Ky. Louis F. Ison

Quieting the ghost of Lincoln's grandmother



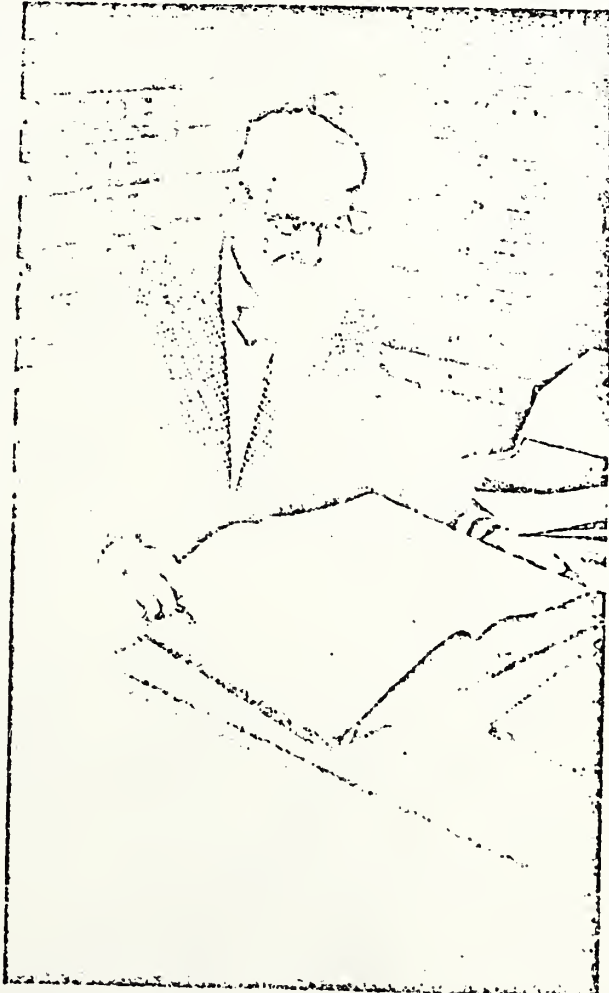
*The Grand Jury returned into Court and made the following
presentments, viz: The Surveyor of the road from Harrodsburg to
George Aunthammon*

Lucy Hanks for Fornication

*The Oversee of the road from the County line to Hopkins fork
And having nothing further to present were discharged*

Ordered that the Clerk issue summonses against those persons this

Abraham Lincoln was America's most revered leader, but the memory of his grandmother Lucy Hanks has been tarnished by what retired Chicago lawyer James A. Peterson, right, believes was "a hell of an injustice." As a 23-year-old widow living on the Kentucky frontier, she was charged in a 1789 grand-jury presentment, above, with fornication. Peterson recently succeeded in a long crusade to correct the court record in Lucy's case.



A crusading lawyer goes to court in Harrodsburg, Ky., to remedy a 187-year-old injustice and clear the name of Lucy Hanks

By JOHN ED PEARCE

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JAMES PETERSON is not a man to be trifled with, and when he found that Lucy Hanks had been charged with fornication, he was outraged. Lucy, he decided, had gotten a bum deal, and he set out to clear her name.

There was this one little problem: Lucy, who was Abraham Lincoln's grandmother, had been dead almost 150 years. But the charge against her lived on in the yellowing records of the Mercer County Courthouse in Harrodsburg, Ky., where it was handed down by a grand jury on Nov. 24, 1789.

It did not discourage Peterson that all parties to the case were long since dead and that Lucy had never been brought to trial, so that there was nothing in the record either to clear or condemn her. A retired Chicago lawyer who lives on a farm near Yorkville, Ill., Peterson is a history buff with a special interest in Abraham Lincoln; both he and his wife came from families with roots in the Harrodsburg region and distant kinship to the Great Emancipator.

"It was a hell of an injustice to a young woman, 23 years old, with a small daughter, living alone on the Kentucky frontier," he says. And with that in mind, he set out on an effort that was to cost him the better part of 20 years and a small fortune. But the effort would also help to torpedo, or at least weaken, aged rumors about Lincoln — that his grandmother was a "semi-prostitute," that his mother was illegitimate, and that Abe himself had been born out of wedlock. Thanks to Peterson, it can now be said with some certainty that there is no evidence to support any of these charges and considerable evidence to the contrary.

How did all these malicious myths get started, any

Continued

JAMES PEARCE is a member of the Magazine staff.

how? Partly, says Peterson, because of erroneous and unfounded statements made by William H. Herndon, Lincoln's law partner. Herndon relied mainly on hearsay, was never in Kentucky, and did no real research. But in the days following Lincoln's death, he was much in demand for his recollections of his famed former partner and, says Peterson, deliberately spiced them up to make them sell.

But because of the skimpy and often confusing records kept by frontier officialdom, Peterson found it hard to refute the charges. Legend has it that Lucy Hanks was the daughter of Joseph Hanks of Virginia and that she had an illegitimate daughter, Nancy (Lincoln's mother), by a Tidewater aristocrat (some say it was George Washington and that this lineage accounted for Abe's intellect and ability).

This, says Peterson, after years of scouring courthouse records in Virginia, is nonsense. Evidence indicates that Lucy was born a Shipley, lived in Roanoke County, Virginia, married Thomas Hanks, bore him a daughter and, when he died, moved with kinsmen of the Hankses, the Berry, Mitchell and Prewitt families, to make a new life on the Kentucky frontier.

Note, for instance, that when she married Henry Sparrow in Mercer County on April 26, 1790, Lucy signed her marriage bond as "Mrs. Lucey Hanks." Now, in a community so small, court and church officials were bound to have known Lucy, and it is not likely that they would have let her get away with this signature had she actually been "Miss Lucey Hanks."

(Incidentally, Lucy spelled her name with an "e", and in his book and pamphlets about her, Peterson uses her spelling. However, the 1789 grand jury and court employed the more customary "Lucy," and Peterson conforms with this spelling in official references and in his petition to clear her name to avoid the risk of having the petition refused because of an inconsistency in spelling.)

As for the belief that Joseph Hanks was Lucy's father, it is significant that his will left his estate to his eight children and listed them; Lucy's name was not among them. Some say this was because Joseph, outraged by her illegitimate child, cut Lucy from the will. But by the time this will was written, Lucy was the wife of a respected church leader and

hardly a discredit to her family. And it is just not likely that such a man would have married Lucy had she been a woman of low morals or poor reputation.

There is an even simpler explanation for the folk tale that Lincoln was illegitimate, a myth Abe himself may have helped create when he told Herndon and others that his mother and father were married in Hardin County, Ky. Searching the records of Hardin County, these people found no evidence that Abe's mother and father had gone to the trouble of getting legally married. The trouble was that Abe was wrong; he had been born in Hardin, but that was not where his parents were married. When later historians looked into the records of neighboring Washington County, they found that Thomas and Nancy were quite legally married near Springfield in 1806, three years before Abe made his appearance in 1809.

Another contribution to confusion was the fact that there were two Nancy Hankses living in the Hardin-Mercer area

*"... Lucy was the wife
of a respected church
leader and hardly a
discredit to her family."*

at the time. Mercer-County Nancy married Thomas Lincoln and became the mother of Abe. Hardin-County Nancy became Mrs. Hall, but not before she gave birth to an illegitimate son by a man named Friend. The boy, Dennis, went to live with his mother's relatives, Thomas and Elizabeth Sparrow; Thomas was a brother of Henry Sparrow, who married Lucy Hanks, and Elizabeth was a sister of the Hardin-County Nancy Hanks. When Thomas and Nancy Lincoln moved from Kentucky to Indiana, Thomas and Elizabeth Sparrow followed and lived nearby until "milk-sickness" killed both Sparrows and Nancy Hanks Lincoln.

All of this convinced Peterson that Lucy and Nancy were anything but the

Lucy Hanks *Continued*

illiterate white trash some historians had made them appear. On the contrary, records show that the various Hanks families, while not wealthy, were respectable and some were people of substance. None of this, of course, did anything to clear Lucy of the fornication charge.

In going over old Virginia law for setting up courts in the Kentucky district, Peterson hit on a crucial item: the law required the sheriff of each county regularly to call to jury duty 24 freeholders, any 16 of whom would constitute a grand jury. Returning to Record Book 1 in the Mercer County courthouse, he found that the grand jury that had "presented" Lucy to the court "for fornication," contained only 12 men. He had his case.

If the 1789 grand jury had only 12 members instead of the prescribed 16, it

was obviously illegal, and, if illegal, all of its acts were null and void. In other words, as far as the law was concerned, no charge had ever been placed against Lucy.

Painstakingly building his case, Peterson then called Mercer County Judge Glover McGinnis and asked how he should present to the Mercer court a petition to clear the name of Lucy Hanks. He also retained David Taylor, a young Harrodsburg attorney, to represent him before the court. Both McGinnis and Taylor seemed somewhat bemused by the case at first, but, as McGinnis says, "Once I met and talked with Mr. Peterson, I saw that this was a very real case. He is a very educated and dignified gentleman, and you just have to respect the time and money he has spent

to have this woman's name cleared."

"Actually," says Peterson, "I had no idea what kind of reception to expect in court. But I figured that even if the judge denied my petition, the evidence contained in it would be spread on the record for future historians, and they would at least get a fairer idea of the facts. But everyone, and especially Mr. Taylor and Judge McGinnis, was favorably inclined toward my case and seemed quite interested in it."

So on Oct. 6, 1976, Peterson and David Taylor presented their petition to Judge McGinnis, who approved and ordered that the record be corrected. And today there is a notation on page 10 of the index to Court Order Book 1 of the Mercer County records which reads: "For charge against Lucy Hanks, see

pages 415-516-482, also County Court Order Book 22, page 433, Oct. 6, 1976." On those pages are the petition and the court order clearing Lucy.

But while the record stands corrected, there remains the fact that Lucy was charged with fornication, and that she has never been cleared nor found guilty of it, leaving succeeding generations to speculate on the circumstances surrounding the charge. Both Peterson and David Taylor think clues to the mystery may lie in the actions of the court.

On Nov. 24, 1789, when the grand jury returned its presentment against Lucy for fornication, the court clerk was ordered to issue a summons for Lucy to appear in court. Apparently the summons was never served on her, because on the following March 23, 1790, the clerk was or-

Lucy Hanks *Continued*

dered to issue another summons to be served on her. It, too, apparently was never served, because on May 25, 1790, "for reasons appearing to the court, the suit is ordered to be discontinued."

There are several interesting aspects of these actions. First, the case was "discontinued," an action usually taken at that time in the case of misdemeanors, whereas cases involving more serious charges were usually dismissed. In discontinuing the case, the court simply was dropping it, as though it legally had never existed.

It is worth asking, too, why the sheriff never served a summons on Lucy. Certainly, in such a small community, he knew who and where she was. Obviously, there was never any serious intent to serve it or to have her appear in court. The rather casual nature of the action can also be seen in the charge itself, which names neither time, place nor man involved. But why, if no one meant to make anything of the charge, was it

"...it is quite likely that during the long...evenings Henry and Lucy shared more than conversation."

brought in the first place? Both Peterson and David Taylor have a theory which, condensed, follows this reasoning:

Life in the wilderness was not easy for a widow with a small daughter and no means of support. Lucy sent Nancy to live with a nephew, Richard Berry, and found work as housekeeper for Henry Sparrow, a job that at the time was considered a good and respectable one. But along the frontier, with its scarcity of single women, such relationships often became more than that of employer-employee (laws to protect the parties to such common-law marriages were adopted soon afterward), and it is quite likely that during the long winter evenings Henry and Lucy shared more than conversation. This may have been all right

been all right with the Anglican Church, which at that time exercised moral control throughout the state, could and did publicly punish moral offenders, and had to give its approval before any couple, even those of the growing Baptist faith, could be married. Furthermore, such a cozy arrangement undoubtedly would have shaken the families of the two. For that reason it is interesting to note that on the grand jury bringing the charge was none other than Lucy's cousin, John Berry. This same John Berry was a witness when, on April 29, 1790, Lucy and Henry applied for a marriage license. Note, too, that at the next session of court following their marriage, the charge against Lucy was discontinued.

In other words, the community and relatives were pressuring Lucy and Henry (in a rather brutal way) to cut it out and get married. Why wasn't Henry brought

"She and Henry lived in comfortable respectability for many, many years . . ."

into the case publicly? Probably to avoid damaging his reputation and hurting his religious career. Tough on Lucy, but it apparently got the job done. She and Henry lived in comfortable respectability for many, many years and had eight children. There is no evidence that she was ever again spoken of badly.

During his 20-year fight to clear Lucy's name, Peterson published numerous tracts and a handful of books, the most recent being "In Re Lucey Hanks," all of them printed at his own expense and distributed, free, to friends.

"You just have to admire a man who will make such effort to do something that most people don't even know was done," says Judge McGinnis. "You won't find many men today who would sacrifice so much just to see justice done."

More's the pity. □



